



General Assembly

January Session, 2007

**Substitute Bill No. 7358**

\* \_\_\_\_\_HB07358ED\_APP032707\_\_\_\_\_\*

**AN ACT CONCERNING GIFTED AND TALENTED STUDENTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 10-76g of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2007*):

4 (b) (1) Any local or regional board of education which provides  
5 special education pursuant to the provisions of sections 10-76a to 10-  
6 76g, inclusive, for any exceptional child described in subparagraph (A)  
7 of subdivision (5) of section 10-76a, under its jurisdiction, excluding  
8 [(1)] (A) children placed by a state agency for whom a board of  
9 education receives payment pursuant to the provisions of subdivision  
10 (2) of subsection (e) of section 10-76d, and [(2)] (B) children who  
11 require special education, who reside on state-owned or leased  
12 property or in permanent family residences, as defined in section 17a-  
13 154, and who are not the educational responsibility of the unified  
14 school districts established pursuant to sections 17a-37, 17a-240 and 18-  
15 99a, shall be financially responsible for the reasonable costs of special  
16 education instruction, as defined in the regulations of the State Board  
17 of Education, in an amount equal to [(A)] (i) for any fiscal year  
18 commencing prior to July 1, 2005, five times the average per pupil  
19 educational costs of such board of education for the prior fiscal year,  
20 determined in accordance with the provisions of subsection (a) of

21 section 10-76f, and [(B)] (ii) for the fiscal year commencing July 1, 2005,  
22 and each fiscal year thereafter, four and one-half times such average  
23 per pupil educational costs of such board of education. The State Board  
24 of Education shall pay on a current basis any costs in excess of the local  
25 or regional board's basic contribution paid by such board in  
26 accordance with the provisions of this [subsection] subdivision. Any  
27 amounts paid by the State Board of Education on a current basis  
28 pursuant to this [subsection] subdivision shall not be reimbursable in  
29 the subsequent year. Application for such grant shall be made by filing  
30 with the Department of Education, in such manner as prescribed by  
31 the commissioner, annually on or before December first a statement of  
32 the cost of providing special education pursuant to this [subsection]  
33 subdivision, provided a board of education may submit, not later than  
34 March first, claims for additional children or costs not included in the  
35 December filing. Payment by the state for such excess costs shall be  
36 made to the local or regional board of education as follows: Seventy-  
37 five per cent of the cost in February and the balance in May. The  
38 amount due each town pursuant to the provisions of this [subsection]  
39 subdivision shall be paid to the treasurer of each town entitled to such  
40 aid, provided the treasurer shall treat such grant, or a portion of the  
41 grant, which relates to special education expenditures incurred in  
42 excess of such town's board of education budgeted estimate of such  
43 expenditures, as a reduction in expenditures by crediting such  
44 expenditure account, rather than town revenue. Such expenditure  
45 account shall be so credited no later than thirty days after receipt by  
46 the treasurer of necessary documentation from the board of education  
47 indicating the amount of such special education expenditures incurred  
48 in excess of such town's board of education budgeted estimate of such  
49 expenditures.

50 (2) For the fiscal year ending June 30, 2008, and for each fiscal year  
51 thereafter, any local or regional board of education that chooses to  
52 provide special education pursuant to the provisions of sections 10-76a  
53 to 10-76g, inclusive, for any exceptional child described in  
54 subparagraph (B) of subdivision (5) of section 10-76a, under its

55 jurisdiction, may be eligible for a grant for the reasonable costs of  
 56 special education instruction, as defined in the regulations of the State  
 57 Board of Education, provided to such child in an amount equal to,  
 58 fifteen per cent of such costs up to and including two and one-half  
 59 times the average per pupil educational costs of such board of  
 60 education for the prior fiscal year, determined in accordance with the  
 61 provisions of subsection (a) of section 10-76f. In awarding grants  
 62 pursuant to this subdivision, the Commissioner of Education shall give  
 63 priority to the applicant school districts whose town or towns are  
 64 distressed municipalities within the meaning of subsection (b) of  
 65 section 32-9p, or public investment communities within the meaning of  
 66 subdivision (9) of subsection (a) of section 7-545. The State Board of  
 67 Education may, within available appropriations, pay the grant amount  
 68 to such board of education for the prior fiscal year. Application for  
 69 such grant shall be made by filing with the Department of Education,  
 70 in such manner as prescribed by the commissioner, annually on or  
 71 before December first, a statement of the cost of providing special  
 72 education pursuant to this subdivision. Payment by the state for such  
 73 costs shall be made to the local or regional board of education as  
 74 follows: Seventy-five per cent of the cost in February and the balance  
 75 in May.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2007	10-76g(b)
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Joint Favorable Subst. C/R

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